

*per
MAILED TO COUNSEL*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE REYES,

Petitioner,

v.

JAMES MORRISSEY, Superintendent,
Butler Correctional Facility,

Respondent.

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LORETTA A. PRESKA, Chief United States District Judge:

The Court's records in this action disclose that Petitioner filed a habeas petition on January 30, 2007 in the United States District Court for the Western District of New York. By Order dated February 16, 2007, the case was transferred to this Court. On April 21, 2010, Magistrate Freeman issued a Report and Recommendation that the action should be dismissed in its entirety with prejudice. The parties were given fourteen days to file written objections to the Report and Recommendation. Because no such objections have been filed, it is hereby ORDERED that Judge Freeman's Report and Recommendation is adopted and that the action is dismissed in its entirety with prejudice.

The Clerk of the Court shall mark this action closed and all pending motions denied as moot.

SO ORDERED:

Dated: May 19, 2010

USDC SDNY
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Loretta A. Preska
LORETTA A. PRESKA, Chief U.S.D.J.